

For the convenience of the Court I will hereafter refer to this property as the "Lebherz Property." My brothers and I obtained our interest in the Lebherz Property by Deed from our mother, Mary M. Lebherz, dated May 19, 1965. My said mother had acquired her interest in the Lebherz Property on January 19, 1929 when she and my father, Harry J. Lebherz, received a Deed to the property from Lloyd C. Culler and Annie M. Culler. My said father, Harry J. Lebherz, died prior to the deeding of the property by my mother to my brothers and myself.

3. The attached survey indicates that the Lebherz property is improved by a two and one-half story stone dwelling house. Upon the completion of the construction of this house in 1931 my family and I moved into the house and utilized this house as our principle place of residence. I lived in this house continuously, without substantial interruption, from 1931 when the house was built until my brothers and I sold the property to Mr. Rippeon in September of 1985. Beginning sometime in the 1950's I also took over the control of the management of the Lebherz Property from my parents. In exercise of such responsibility, I took care of the maintenance of the property and paid all of the expenses of the property, including the city and county property taxes.

4. On the survey attached hereto as Exhibit A I have drawn a red line across the northern most boundary line of the Lebherz Property. I have extended this line across the nine foot wide strip of ground which represents the disputed property which is the subject of the pending law

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